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Attorneys for Defendants  
JAMES H. PFLUEGER, PFLUEGER  
PROPERTIES and PILA`A 400, LLC

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA, and ) CIVIL NO. CV 02-00521 SPK BMK  
DEPARTMENT OF HEALTH, STATE OF )  
HAWAII, )  
Plaintiffs, ) DEFENDANTS JAMES H. PFLUEGER,  
vs. ) PFLUEGER PROPERTIES, AND PILA'A  
JAMES H. PFLUEGER; PFLUEGER ) 400, LLC'S PROPOSED ORDER  
PROPERTIES; and PILAA 400 LLC, ) APPROVING ENTRY OF CONSENT  
Defendants. ) DECREE

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LIMU COALITION, a Hawai'i non-profit ) CIVIL NO. 06-00140 BMK  
corporation, and KILAUEA )  
NEIGHBORHOOD ASSOCIATION, a )  
Hawai'i non-profit corporation, )  
Plaintiffs, )  
vs. )

JAMES H. PFLUEGER; PFLUEGER )  
PROPERTIES LP, a Hawaii limited )  
partnership; and PILAA 400 LLC, a ) Date: June 16, 2006  
Hawaii limited liability corporation, ) Time: 2:00 p.m.  
)  
Defendants. ) Honorable Barry M. Kurren  
)

DEFENDANTS JAMES H. PFLUEGER, PFLUEGER PROPERTIES, AND  
PILA'A 400, LLC'S PROPOSED ORDER APPROVING ENTRY OF CONSENT DECREE

Upon consideration of Plaintiff United of America Motion to Enter Consent Decree and the joinder therein of the State of Hawaii, the Limu Coalition, the Kilauea Neighborhood Association and upon James H. Pflueger, Pflueger Properties, and Pila'a 400, LLC request to enter Consent Decree, good cause having been shown, it is hereby ORDERED that;

The Consent Decree is approved and shall hereby be entered as a judgment of this Court.

Dated: \_\_\_\_\_

HON. BARRY M. KURREN  
UNITED STATES MAGISTRATE JUDGE